

**MINUTES OF THE REGULAR MEETING OF THE  
WASHINGTON STATE TRANSPORTATION COMMISSION  
December 17 & 18, 2003**

The regular meeting of the Washington State Transportation Commission was called to order at 9:00 a.m., on December 17, 2003, in Room 1D2 of the Transportation Building in Olympia, Washington.

Commissioners present were: Aubrey Davis, Chair, Ed Barnes, Elmira Forner, George Kargianis, A. Michèle Maher, Dan O'Neal and Dale Stedman.

**SAFE ROUTES TO SCHOOLS: A NATIONAL MOVEMENT**

Paula Hammond, Chief of Staff, commented briefly regarding a national movement toward the safety of children walking or bicycling to and from schools. She introduced John Moffat, Director, Washington Traffic Safety Commission, Patty Hayes, Assistant Secretary, Community and Family Health, Department of Health, Allan Jones, Director, Pupil Transportation/Traffic Safety Education, Office of Superintendent of Public Instruction (OSPI), and Barbara Culp, Director, Bicycle Alliance of Washington.

Mr. Moffat provided an overview of the project and shared his concerns regarding unsafe routes to schools for children. He commented regarding the Commission's participation in crosswalk demonstration sites and school zone safety projects.

Ms. Hayes explained that the Department of Health has programs that share in this safety movement. The public health goal reaches into communities to work with urban planning. Safe routes to schools would make a real difference for children and communities. One of the goals is to realize that active living is important to children and research indicates that routes to schools are important in the public health perspective.

Mr. Jones shared that OSPI is working with various groups and agencies to promote optional methods for children to get to school using a safe route. He explained that there is concern regarding the ability to obtain funding for walk routes and sidewalk improvements. Current school funding is used for busing, roadway improvements or hiring adult crossing guards.

Ms. Culp explained that the Bicycle Alliance Group is composed of statewide advocates, citizens, bicycle clubs and anybody that walks, rides a bike or wants Washington citizens to have those opportunities. Safe routes to schools are a priority and the group has been working with the Department of Health and public schools to gain interest in the safe routes movement.

David Levinger, Executive Director, Feet First, stated that he works with Puget Sound communities aiding them in organizing safe routes to schools. He encouraged the Commission and Department to seek new funding for the safe routes movement.

David Townsend, citizen, expressed his concerns regarding safe routes to schools.

Secretary MacDonald commented that all modes of transportation are considered in the Washington Transportation Plan. He explained that working together as a common group would be far more effective than separate groups pursuing a single agenda.

### **APPROVAL OF MINUTES**

*It was moved by Commissioner Maher, and seconded by Commissioner Kargianis to approve meeting minutes for October 15 & 16, 2003, October 22, 2003 and November 13 & 14, 2003. The motion passed unanimously.*

### **OFFICE OF THE SECRETARY REPORT**

Secretary MacDonald expressed his appreciation to Paula Hammond, Chief of Staff, John Sibold, Director, Aviation Division and Elizabeth Robbins, Manager, Policy Development & Regional Coordination, for their team participation in “Action Washington” working along with the Department of Community Trade and Economic Development in obtaining the Boeing 7E7 contract.

He introduced Gummada Murthy the newly appointed Director of Maintenance and Operations, and expressed his congratulations to Shari Schaftlein, Assistant Director, Environmental Services, who accepted a position with the Federal Highway Administration in Washington D.C. Engineering awards were presented to the Bridge Office engineering and design staff for the SR 520 Floating Bridge and the 38<sup>th</sup> Street Bridge and the Twisp River Bridge projects.

Secretary MacDonald briefed the Commission regarding Washington State Ferries (WSF) Request for Proposal procurement process for the construction of new ferries. This process will consist of technical design build packages and bids submitted by qualifying, competing shipyards. He provided an update regarding the status of ferry concessions. WSF is continuing to work with the current concession vendor, Sodexho, and the union regarding a continued agreement of service onboard the ferries.

### **PROJECT DE-SELECTION AS A RESULT OF I-776 IMPACTS**

Amy Arnis, Co-Director, Strategic Planning and Programming, briefed the Commission regarding candidate projects for de-selection as a result of Initiative 776. Initiative 776 included a provision to repeal gross weight fees on light trucks. On October 30, 2003 the Washington Supreme Court concluded that I-776 did not violate the Washington Constitution. As a result, the estimated revenue reduction in the Motor Vehicle Fund is \$34 million. The Department proposed that this reduction be taken by removing programmed projects from the Highway Construction Program. Projects were considered for de-selection based on specific criteria approved by the Commission. There are 11 projects that would go to advertisement for bid. The Department proposes that the project advertisement and bid be delayed until mid January so the Legislature may determine the appropriate action. The candidate project de-selection list was provided to the Commission for review and endorsement before forwarding to the Legislature for consideration.

*It was moved by Commissioner Stedman, and seconded by Commissioner O'Neal that the Department provide the recommended candidate project de-selection list to the Legislature for consideration. Commissioner O'Neal requested that a letter be included emphasizing that an increase in revenue would eliminate project de-selection. The motion passed unanimously.*

### **PUBLIC AND LEGISLATOR COMMENT PERIOD**

John Worthington, citizen, shared his enhancement ideas and concerns regarding SR 167.

Meta Heller, Lobbyist, Common Ground USA, shared her concerns regarding the Gates Commission report.

Cholly Mercer, President, Rainier Petroleum Corporation, shared his concerns regarding Washington State Ferries (WSF) use of trucks to refuel ferries. He commented that he feels there could be degradation of environmental protections as a result of this fueling practice.

Secretary MacDonald commented briefly regarding the relationship between Rainier Petroleum Corporation and the Department. He explained that he feels WSF fueling practices meet or exceed existing regulations.

Dennis Dowdy, Director, Public Works, City of Auburn, commented that the Auburn City Council and Auburn Chamber of Commerce support the SR 167 High Occupancy Toll (HOT) Lanes Project. He stated that the submittal of SR 164 for Highways of Statewide Significance is late and requested allowance of submittal.

Steve Buri, Executive Director, Discovery Institute, commented that the Discovery Institute strongly supports SR 167 HOT lanes and encourages the Commission to move the project forward.

John Niles, resident of Seattle, commented that he feels the Incident Response Program works very well. He commented briefly regarding his support of safe routes to schools, link light rail and the SR 167 HOT lanes project.

### **HIGHWAYS OF STATEWIDE SIGNIFICANCE (HSS) NOMINATIONS**

Charlie Howard, Director, Strategic Planning and Programming, provided an overview of the legislative criteria for selection of an HSS. He outlined the state criteria for HSS routes and solicited nominations from the Regional Transportation Planning Organizations (RTPOs). The Department reviewed the current system and nominations, and recommended nominations to the Commission. The Commission will then update the system designation, and submit it to the Legislature for adoption. The Commission was provided the initial results of the proposed nominations without deletion of any routes from the existing system.

Mary Ann Zukowski, City of Federal Way, stated that she represents several jurisdictions supporting the nomination of south SR 99 for HSS. She provided an amended HSS application nominating a portion of SR 99 to the Department and Commission for consideration.

Tim Russ, Director, Pacific Transit, Jim Rothlin, Director, Port of Chehalis and Mark Cook, Director, Lewis County Public Works, appeared before the Commission to share their joint support for the nomination of SR 6 as a HSS.

John Starbard, City Manager, City of Maple Valley, Bob White, Director, City of Maple Valley Public Works and Anthony Hempstead, Intergovernmental Affairs Officer, City of Maple Valley, appeared before the Commission sharing their joint support for the designation of SR 169 as an HSS.

Steve Thomsen, Deputy Director and County Engineer, Department of Public Works, Snohomish County, shared his support for the designation of SR 9 and SR 530 as a HSS.

Gary Predoehl, Manager, Program Development, Department of Public Works, Pierce County, shared his support of SR 704 designations as a HSS.

### **SR 167 HIGH OCCUPANCY TOLL (HOT) LANES PROJECT**

Mike Cummings, Manager, Urban Planning Office, briefed the Commission regarding the SR 167 HOT Lane Pilot Project proposal. The intent of the pilot project is to improve the overall efficiency of the roadway while maintaining the travel speeds for transit and other HOV lane users. The HOV segments of SR 167 within King County were selected as the top candidate for a proposed HOT lane pilot project because the corridor has congestion in the peak direction, available HOV lane capacity, and room to make needed improvements. Toll prices would vary, depending on traffic volumes and would fluctuate depending on congestion. Transit, vanpools, and carpools would be exempt from tolling. Single occupant vehicles would pay a toll to use the lane during congested periods of the day. The Department requests that the Commission approve Resolution No. 659 endorsing the SR 167 HOT Lane Pilot Project proposal, and to seek Legislative approval for further development of funding options.

*It was moved by Chair Davis, and seconded by Commissioner Maher to approve Resolution No. 659 directing the Department to pursue a HOT lanes pilot project on SR 167. The motion passed unanimously.*

### **EVALUATION OF PUGET SOUND FREEWAY HOV LANE HOURS OF OPERATION DEMONSTRATION: INITIAL RESULTS**

Mark Leth, NW Region Traffic Engineer, provided an update on the Puget Sound High Occupancy Vehicle (HOV) Lane Hours of Operation Demonstration Project. The two-year demonstration project opened HOV lanes on freeways east of Lake Washington (I-405, I-90, SR 520, and SR 167) to general-purpose traffic between the hours of 7 p.m. and 5 a.m., seven nights per week. The demonstration project is designed to determine whether the revised policy has an impact on traffic speed, volume, safety, and HOV lane use relative to

general-purpose lane use. The first initial report was provided to the Commission for review documenting performance of the HOV lanes following the implementation of the revised hours of operation. Upon completion of the demonstration project in 2005, a final report will be prepared and a recommendation will be presented to the Commission.

### **WEST COAST CORRIDOR COALITION UPDATE**

Barb Ivanov, Director, Freight Strategy and Policy, briefed the Commission regarding the West Coast Coalition that represents transportation agencies from Alaska, Washington, Oregon and California. The Coalition is organizing to lobby for increased federal funding in freight investments in the west coast states that serve as the U.S. gateway to Asia. The Coalition is supporting a resolution to reauthorize TEA21 with an emphasis on freight. She also provided an overview of the Washington Transportation Plan (WTP) related to freight. The approach is to create a portion of the WTP that is specific to freight.

### **WSF QUARTERLY BUSINESS AND FINANCIAL UPDATE**

Mike Thorne, CEO, Washington State Ferries (WSF), provided an update on the current business operations and financial performance of WSF for the quarter ending September 30, 2003. The 5-5-5 strategic business plan provides a balanced approach for bringing long-term financial viability to WSF operations, along with the capital plan that will provide for the timely replacement, preservation and modernization of its assets.

Sam Kuntz, Chief Financial Officer, WSF, briefed the Commission regarding ferry ridership and farebox revenue trends for the first quarter of 2004. He outlined WSF operations budget versus actual expenditures, explaining the variances between the two. The briefing included an update on the current status of the Request for Proposal (RFP) for concession services, and the implementation of new revenue initiatives such as the redevelopment of Pier 52 in Seattle, advertising and parking lots.

Bill Greene, Budget Director, WSF, commented briefly regarding efforts to secure federal funds as a new source of revenue. Other items discussed were the revenue collection system and smart card project.

Mr. Thorne briefed the Commission regarding the status of implementing a more proactive management process for the Jones Act injury claims by vessel crew employees including a summary review of accident/injury costs. Steps are underway or being contemplated internally to improve cost controls and better manage claims, and options for third-party administrator services to supplement those efforts.

Commissioners shared questions and comments with WSF presenters regarding the RFPs and revenue collections.

### **2003 AVIATION DIVISION BUSINESS PLAN UPDATE**

John Sibold, Director, Aviation Division, provided an overview of the 2003 Aviation Business Plan and an update on the development of the 2004-05 Business Plan. He shared that during his term as Director he has redirected the focus of the Division on several

programs that needed attention. The Division has met the 2002-03 objectives by instituting good business practices with Local Airport Aid grant programs, streamlined the pilot and aircraft registration program, and obtained additional revenue for preserving Washington airports.

The 2004-05 Aviation Business Plan and Strategic Plan included study teams to examine the Division's key strategic direction and develop recommendations that consider efficiencies, issues and emerging trends. These study teams included aviation interests, including large public ports, small general aviation airports, regional planning organizations, small and medium sized cities, state and federal agencies, and the Washington State Legislature. The study team plans to use the regional planning processes of Metropolitan Planning Organizations and Regional Transportation Planning Organizations to define Washington's aviation system, develop an aviation education web-based information clearinghouse, and continue the volunteer program for air search and rescue.

### **URBAN CORRIDORS OFFICE PROJECT UPDATE ON ALASKAN WAY VIADUCT, SR 520, I-405, AND SR 509**

David Dye, Administrator, Urban Corridors, provided an update regarding the status of the Regional Transportation Investment District (RTID), and the funding that could provide resources for significant portions of these and other projects. Project teams are making significant progress on four regional corridor projects.

Maureen Sullivan, Project Director, Urban Corridors, provided an update regarding the Alaskan Way Viaduct project. There are five alternatives selected for the Alaskan Way Viaduct replacement project under review. The Department and City of Seattle are moving forward to select the replacement alternative for both the viaduct and seawall. This project will require assistance from local, state and federal levels. The draft Environment Impact Statement will be completed in late March 2004.

Craig Stone, Projects Director, Urban Corridors, provided an update of the I-405 Congestion Relief & Bus Rapid Transit Project. The three areas of I-405 that will be addressed first are Bellevue/I-90 downtown, Renton/I-405/SR 167 Interchange and Kirkland/SR 520-SR 522. These projects are funded from the Nickel Package. The I-405 Master Plan (20-year vision) consists of multi-modal improvements to the freeway, transit system and arterials along the I-405 corridor, stretching from Tukwila to Lynnwood.

Ms. Sullivan provided an update on the status of the SR 520 Bridge Replacement and HOV Project. Three primary alternatives have been selected as possible alternatives for the replacement of the bridge. This project is funded from the Nickel Package, but will require additional funding from local, state and federal levels. Possible funding sources for this project include the Regional Transportation Investment District and tolling the facility.

Mr. Stone provided an update on the status of the SR 509/I-5 Freight & Congestion Relief Project. Completing the SR 509/I-5 link will reduce I-5 congestion during peak hours and create a direct freight connection between Seattle, South King and Pierce Counties. It

also provides a new direct southern access to SeaTac International Airport. Commuters will benefit and freight haulers will save time. All of these benefits will be gained while protecting the environment.

### **GOVERNOR'S SUPPLEMENTAL BUDGET PROPOSAL**

Bill Ford, Budget Chief, provided a brief overview of the Governor's 2004 Supplemental Budget Proposal. The 2004 Supplemental Transportation Budget include reappropriation adjustments that reduce funding by \$16.1 million to reflect the 2001-03 work-in-progress for the 2003-05 biennium. The 2004 Omnibus Supplemental Budget provisos include flexibility language for current law and Nickel projects, a proviso directing the Department to fund \$100,000 for the Benton County Commute Trip Reduction Program and allowing funding for the Bothell Interchange to be used for both design and construction.

### **COMMISSION ADMINISTRATOR REPORT**

Jennifer Ziegler, Administrator, briefed the Commission regarding proposed legislation for increasing High Occupancy Vehicle (HOV) fines. Resolution No 643 adopted by the Commission in January 2003 demonstrated the Commission's support of implementing an increase in traffic fines for violation of HOV system restrictions. She outlined the traffic fine structure and HOV penalties in Washington State. During the 2003 Legislative session Senator Haugen sponsored SB 5936, which would increase HOV fines, but did not dedicate revenue to HOV education or enforcement. The 2004 Legislative option provides minor updates to SB 5936 to reflect traffic infraction statutory changes enacted in 2003. The proposed new legislation will retain the current penalty of 101 dollars and create an additional penalty specifically for HOV lane violations. It would also create an HOV lane enforcement account and deposit revenue from the additional penalty into the account for HOV education and enforcement efforts. Commissioners shared a discussion period and determined to move on an additional penalty amount of \$100 dollars to be distributed equally between the Motor Vehicle Fund and an education and enforcement account.

***It was moved by Commissioner Barnes, and seconded by Commissioner Stedman to recommend an additional penalty of \$100. Fifty dollars of the penalty would be distributed to the Motor Vehicle Fund and \$50 to an HOV education and enforcement account. The motion passed unanimously.***

***It was moved by Commissioner Barnes, and seconded by Commissioner O'Neal to present a letter of recognition and appreciation to Ms. Mary McCumber for her years of service as the Executive Director of Puget Sound Regional Council. The motion passed unanimously.***

Ms. Ziegler presented possible future dates for a Commission retreat. Commissioners selected tentative dates of April 22-23, 2004.

### **COMMISSIONER REPORTS**

Commissioner reports were deferred to the January 21 & 22, 2004, Commission meeting.

The Commission meeting adjourned at 12:30 p.m., on December 18, 2003.

**WASHINGTON STATE TRANSPORTATION COMMISSION**

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AUBREY DAVIS, Chair

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GEORGE KARGIANIS, Vice-Chair

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EDWARD BARNES, Member

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DALE STEDMAN, Member

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ELMIRA FORNER, Member

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DANIEL O'NEAL, Member

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A. MICHÈLE MAHER, Member

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DOUGLAS MACDONALD, Ex-Officio Member  
Secretary of Transportation

ATTEST:

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JENNIFER ZIEGLER, Administrator